

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HENRY LENDOR,

Plaintiff,

-v-

CITY OF NEW YORK, et al.,Defendants.

07 Civ. 7617 (GEL)

ORDERGERARD E. LYNCH, District Judge:

Defendants move to stay further proceedings in this § 1983 action pending the outcome of the parallel criminal charges brought against plaintiff in Kings County Criminal Court. Plaintiff consents to this request. The motion will be granted.

It is well established that a stay of civil proceedings pending terminations of a parallel criminal action is not constitutionally required, but that a court has the power to enter such a stay in its sound discretion. Sterling Nat. Bank v. A-1 Hotels Int'l, Inc., 175 F. Supp. 2d 573, 575-76 (S.D.N.Y. 2001). Furthermore, “it is well-settled that the Court may (and indeed, should) stay a federal Section 1983 action until resolution of parallel state court criminal proceedings.” Estes-El v. Long Island Jewish Med. Ctr., 916 F. Supp. 268, 269 (S.D.N.Y. 1995).

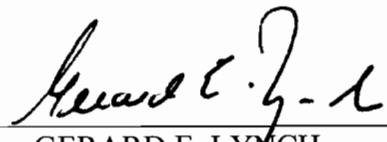
Accordingly, it is hereby ORDERED that:

1. All proceedings in the above-entitled case are stayed pending resolution of the criminal charges against plaintiff in Kings County Criminal Court.
2. Defendants shall answer or otherwise respond to the complaint within thirty days from the date this stay is lifted.
3. The initial pre-trial conference currently scheduled for December 7, 2007, is adjourned until a later date to be set by the Court, but no earlier than thirty days from the date this stay is lifted.

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SO ORDERED.

Dated: New York, New York
November 30, 2007



GERARD E. LYNCH
United States District Judge